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Valuing Mental Health in the Justice System

Abstract

Mental health is an issue that needs more recognition, especially within inmates and law enforcement. The mental health of incarcerated inmates, as well as law enforcement officials, has been overlooked and negatively impacted our criminal justice system. Ignoring mental health has helped create negative depictions and stereotypes about these communities. Law enforcement tends to ignore its mental health due to masculinity and police culture, feeding into the stigma that lingers around it. Although mental health has become a recurring topic in recent years, little has been done to help restore it within our justice system. Recently, there have been numerous incidents of police brutality, as well as rising numbers of incarcerated individuals, resulting in a negative image of both parties. Actions such as providing proper training to correctional facility staff, providing mental health resources to law enforcement, and creating a healthier environment for inmates are needed in order to create a better atmosphere within the justice system. By reforming and taking value in the mental health of both parties, our justice system can be reconstructed to place more value in mental health.

Keywords

mental health, justice system, incarcerated inmates, criminal justice, reformation

Valuing Mental Health in the Justice System

*Anabel Lugo***Abstract**

Mental health is an issue that needs more recognition, especially within inmates and law enforcement. The mental health of incarcerated inmates, as well as law enforcement officials, has been overlooked and negatively impacted our criminal justice system. Ignoring mental health has helped create negative depictions and stereotypes about these communities. Law enforcement tends to ignore its mental health due to masculinity and police culture, feeding into the stigma that lingers around it. Although mental health has become a recurring topic in recent years, little has been done to help restore it within our justice system. Recently, there have been numerous incidents of police brutality, as well as rising numbers of incarcerated individuals, resulting in a negative image of both parties. Actions such as providing proper training to correctional facility staff, providing mental health resources to law enforcement, and creating a healthier environment for inmates are needed in order to create a better atmosphere within the justice system. By reforming and taking value in the mental health of both parties, our justice system can be reconstructed to place more value in mental health.

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Introduction

The infrastructure of society maintains neglect toward mental illnesses by disregarding the impact it has on both convicts and law enforcement. By overlooking mental health issues, prejudicial incidents continue to be repeated, which further depicts both parties as adversaries in a stereotypical way. By not prioritizing mental health procedures or their reforms, both offenders and officials continue to be stigmatized within the criminal justice system. These systems must be prioritized through reconstruction, such as enhancing communication within correctional facilities, implementing functioning mental health programs, and having an accessible system for mental health resources.

Within the past few years, the topic of police brutality has been a recurring issue, which has incited protests over police misconduct. Many of these incidents are portrayed as racially discriminatory encounters, but mental health is a factor on why such misconduct occurs. Hakik and Langlois (2020) mention how law enforcement experiences different types of trauma while working. Officers are at constant risk, for their job often puts them in distressed situations such as car accidents, deaths, being victimized by crime, and much more (p. 123). A continuous cycle of these traumatizing events will end up leading to Post Traumatic Stress Disorder (PTSD), depression, and becoming suicidal for many involved in law enforcement (p. 130). Officers tend to work long hours, and can be involved in life-or-death situations, which causes them to always be on guard.

The way society views law enforcement is also an influencing factor for mental health. Police officers are stigmatized to be aggressive, biased, and troublesome: a portrayal of a misrepresented community (Cuadro, 2019). In reality, they are

authoritative, distrust our society, and have low self-esteem, as they feel they are not truly respected (p. 15). This negative image of law enforcement causes a belief that it is the officers versus the community, resulting in police misconduct. Social media interactions are also an influencing factor, as the negative publicity causes law enforcement officials to feel that they are not in control of their emotions (p. 22). Social media has greatly affected the perception of law enforcement, as countless encounters are recorded and immediately uploaded to social platforms. This causes social media users to jump to conclusions, as many instantly decide the series of events from what they have seen, instead of acknowledging how it happened.

Evidently, the police culture carries a negative attitude towards seeking mental health assistance, in which many attempt to handle their emotions by themselves. Officers tend to deny that they have a problem because of the self-perceived standard that has been ingrained within the police culture. This culture consists of valuing strength, reliance, and being able to deal with personal issues without seeking help (Cuadro, 2019). This often will lead to the development of mental illnesses, in which many are unaware they are displaying symptoms. In many instances, officers tend to have a hostile relationship with some of their colleagues, causing them to be reserved (p. 33). This creates a stressful work environment, as they tend to feel uncomfortable. Their risk of developing PTSD, anxiety and depression, etc. are high, as they are constantly exposed to trauma, eventually leading to a point where it is considered a habituation: a decrease in response to a stimulus after a variety of occasions (Cuadro, 2019 p. 36). This could be considered good and bad—as it can become easier to be exposed to traumatic events but can also become problematic. Eventually, the accumulating series of events and

unspoken emotions may result in impactful damage to their mental health.

Not only is mental health affecting law enforcement, but also those who are incarcerated. In 2009, the Bureau of Statistics stated that over 1.6 million individuals were incarcerated compared to 2019, in which there were 1.4 million incarcerated: a 17% drop. This massive number is still overwhelming as it can cause difficulty for correctional facilities to commit to the offenders' health needs. Inmates are provided with vocational training and educational programs to help them become productive members of society when they are released. Unfortunately, they cannot always use these programs to their advantage because of the psychological impact of prison (Collier, 2014). Correctional facilities use disciplinary methods, such as solitary confinement, which can generate serious risk for prisoners, as they are isolated in their cells with no contact, resulting in many inmates to experience anxiety, rage, depression, etc. (Collier, 2014). The transition from an ordinary and free life to a restricted and isolated setting has psychological effects on the incarcerated, causing them to become desensitized. Like law enforcement, they tend to suffer from mental illnesses such as anxiety, depression, risks of suicide, behavioral symptoms, etc. (Collier, 2014). Factors such as confinement, past traumas, social isolation, and informal support feed into the establishment of mental illnesses (Iwamoto et. al, 2012).

The incarcerated also carry the stigma of masculinity. Masculinity has molded the mindset of males to believe they must portray themselves as tough and manly. In prison, the construction of masculinity is strict, as it pressures the offender to protect how they are depicted to the rest of their cellmates (Iwamoto et. al, 2012). Incarcerated males must adapt to this atmosphere, causing

the general population of male prisoners to ignore their mental health needs. This makes them reluctant towards seeking help because they don't physically or psychologically feel safe in prison, and they fear that they will be viewed as feminine and weak.

The occupation of a police officer is demanding and traumatizing, as they experience and see things that the average person will never see. They tend to feel they must always put up a front, which is influenced by police culture. Law enforcement is expected to be able to control their emotions, but this lack of emotional communication often results in the negative imagery associated with officers.

As for convicts, the lack of support and constant feelings of abandonment while inside prison has further effects once they are released. Stepping into a correctional facility, they feel no control over themselves, and are resentful towards those who carry authority. Even when they are released, convicts are treated as outcasts once they return to society. According to the BJS (2002), about 67.8% of prisoners who were released in 2005 were rearrested within 3 years. Their constitutional rights are stripped from them, forcing them to practically begin their lives from scratch, which many times results in navigating themselves back down their past mistakes.

Law enforcement must change how they are handling mental health in the workplace. In 2018, Congress enacted the Law Enforcement Mental Health and Wellness act to study the psychological needs and wellbeing of over 800,000 officers within the United States (COPS 2019, p. 11). Certain departments, such as Bend Police Department (BPD), have acknowledged that over-extended shifts put too much pressure on officers. They have created flexible schedules in which officers will be able to have

time to self-reflect and assist with mental wellness programs offered throughout their department. (p. 24) Many departments are implementing peer support programs or offering onsite counseling, in which officers can have a safe spot to talk about their emotions and stress. The focus isn't exclusively on current officers, as programs for retired officers have been established as well. Communicating and revealing one's feelings is significant, especially in this community and with one another, as it will help establish trust (COPS, 2019).

By emphasizing the need for offsite resources, psychologists and counseling services are provided directly for police officers. Departments should consider providing these services away from their department, as it provides reassurance to their employees that what they are sharing is confidential (COPS, 2019 p. 3). The Los Angeles County Sheriff's Department (LACSD) provides easy access to such services. They have gathered psychologists who specialize in law enforcement psychology and are prepared for critical incidents (p. 9). This helps establish confidence for the employee, as it lets them realize that their mental health is important.

Identically, correctional facilities need to acknowledge how they are approaching mental illnesses with the convicted. The staff needs to be properly trained on how to deal with mentally ill prisoners, as the recurring neglect may help feed a hostile relationship between the convicted and staff. The National Research Council has conducted a study that demonstrates that there are currently 54% of state prisoners and 45% of federal prisoners who have reported mental health concerns (Collier, 2014). In order to improve current mental health rates, correctional facilities must work on procedures such as their communication with inmates, being able to notice changes in

inmates' behavior, recognizing their personal impact on the offender, and properly educating themselves on mental illnesses (National Guidance Alliance, 2017).

Bettering communication with inmates can help dissolve the hostile relationships that they share with law enforcement and correctional facility staff. Communication is significant, as it provides insight on how inmates may be feeling, while also relieving their own stress. Words are impactful, as they can be words of encouragement or discouragement; therefore, correctional facilities staff must be mindful of their word choice, as it can mean a lot to some inmates. Giving this recognition to the convicted will help with feelings of mistreatment. Properly educating correctional facility staff and making oneself aware of the cause and effect of mental illnesses is significant, as it gives context and knowledge on how to handle various situations (National Guidance Alliance, 2017).

Both law enforcement officers and inmates are in a desperate need for mental health assistance, as it will better establish how our justice system will run in the future. Mental health is impactful, as it can cause entire personalities to change and make an individual unrecognizable. Law enforcement is constantly exposed to traumatic events, as well as inmates, whose psyches are impacted due to the environment within the prisons. Both parties hold a reluctant attitude towards seeking psychiatric help, which may result in a negative image of our justice system. Without a priority for change, our justice system will proceed to go backwards. By emphasizing the need for active communication, it will help better the relationships within correctional facilities, as well as with law enforcement. Implementing reliable mental health programs will aid in creating resources for both parties, resulting in an accessible system. We

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must take action and reform current mental health procedures, in order to help establish a mentally healthier system for both law enforcement and inmates.

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Anabel Lugo is a third-year student at San Jose State University majoring in forensic science. Her interest for mental health within the justice system sparked after the beginning of the pandemic. She has realized that both the incarcerated and law enforcement populations had a neglectful perspective on the subject of mental health. She's hopeful that one day the justice system will have better resources for them, making this a healthier and safer environment for both parties.